

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
P02819-C1

Total Pages in this Submission

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**Ophthalmic Compound With Extended Dwell Time on the Eye**

and invented by:

**Gunther Bellmann and Grudrun Claus-Herz**

1647 U.S. PRO  
10/625634  
07/23/03

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 09/171,344

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 11 pages and including the following:

- a.  Descriptive Title of the Invention
- b.  Cross References to Related Applications (*if applicable*)
- c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
- d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
- e.  Background of the Invention
- f.  Brief Summary of the Invention
- g.  Brief Description of the Drawings (*if filed*)
- h.  Detailed Description
- i.  Claim(s) as Classified Below
- j.  Abstract of the Disclosure

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**Application Elements (Continued)**

3.  Drawing(s) *(when necessary as prescribed by 35 USC 113)*
  - a.  Formal Number of Sheets \_\_\_\_\_
  - b.  Informal Number of Sheets \_\_\_\_\_
4.  Oath or Declaration
  - a.  Newly executed *(original or copy)*  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
  - c.  With Power of Attorney  Without Power of Attorney
  - d.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7.  Application Data Sheet (See 37 CFR 1.76)
8.  Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9.  Assignment Papers *(cover sheet & document(s))*
10.  37 CFR 3.73(B) Statement *(when there is an assignee)*
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Certificate of Mailing  
 First Class  Express Mail *(Specify Label No.):* EI748247342US

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**Accompanying Application Parts (Continued)**

17.  Additional Enclosures (please identify below):

Copy of Form PTO-1390 and its attachmenets

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	24	- 20 =	4	x \$18.00	\$72.00
Indep. Claims	3	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				<b>BASIC FEE</b>	<b>\$740.00</b>
OTHER FEE (specify purpose)					\$0.00
				<b>TOTAL FILING FEE</b>	<b>\$812.00</b>

A check in the amount of to cover the filing fee is enclosed.

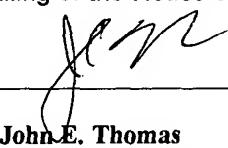
The Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1425  
as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \$812.00 as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance,  
pursuant to 37 C.F.R. 1.311(b).

  
Signature

John E. Thomas  
Registration No. 34,070  
Bausch & Lomb Incorporated  
One Bausch & Lomb Place  
Rochester, New York 14604-2701  
Telephone: (585) 338-8969

Dated: July 23, 2003

CC:

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s): Bellmann, et al.				Docket No. <b>P02819-C1</b>
Serial No. <b>Not Yet Assigned</b>	Filing Date <b>July 23, 2003</b>	Examiner <b>N/A</b>	Group Art Unit <b>N/A</b>	
Invention: <b>Ophthalmic Compound With Extended Dwell Time on the Eye</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>Continuation Application Transmittal</b> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>Preliminary Amendment</b> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>Application Data Sheet</b> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>IDS w/o references</b> </div> <p style="text-align: center; font-size: small;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under          37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231  <u>July 23, 2003</u>  <i>(Date)</i></p> <hr/> <p style="text-align: center;"><b>Elizabeth J. Cok</b>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <hr/> <p style="text-align: center;">  <i>(Signature of Person Mailing Correspondence)</i></p> <hr/> <p style="text-align: center;"><b>EI748247342US</b>  <i>("Express Mail" Mailing Label Number)</i></p> <p style="text-align: center; font-size: small; margin-top: 100px;"><b>Note: Each paper must have its own certificate of mailing.</b></p>				

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
P02819-C1

In Re Application Of: **Bellmann, et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
Not Yet Assigned	July 23, 2003	N/A	N/A

**Title: Ophthalmic Compound With Extended Dwell Time on the Eye**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

**Continuation Application Transmittal  
Preliminary Amendment  
Application Data Sheet  
IDS w/o references**

in the above identified application.

No additional fee is required.

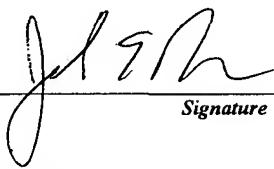
A check in the amount of \_\_\_\_\_ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-1425 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \$812.00

Credit any overpayment.

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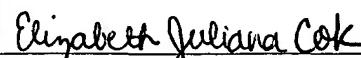


*Signature*

Dated: **July 23, 2003**

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Telephone: (585) 338-8969**

I certify that this document and fee is being deposited on July 23, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



*Signature of Person Mailing Correspondence*

**Elizabeth J. Cok**

***Typed or Printed Name of Person Mailing Correspondence***

CC: